

State Water Resources Control Board

Division of Clean Water Programs (CWP)

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Compliance Guidelines for State Revolving Fund (SRF) Loan Program Minority and Women Owned Business Enterprise (MBE/WBE)

July 24, 2001

State Revolving Fund Loan Program MBE/WBE Instructions

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Section 1: APPROVAL TO AWARD (ATA) PROCESS

REQUIRED FOR STATE REVOLVING FUND LOANS DIVISION OF CLEAN WATER PROGRAMS

The purpose of this document is to provide a summary of the MBE/WBE “good faith” effort for SRF Loan contractors and recipients. Section 1 provides the contractor and recipient with a brief overview of the ATA process. The MBE/WBE “good faith” effort is one element of the ATA process summarized below. The ATA request package submitted to CWP for approval must contain all of the following:

1. Completed ATA form (original must be signed by the recipient’s authorized representative or designee).
2. A legal description of the site on which the project is to be constructed and an opinion signed by competent title counsel describing the interest the applicant has in the site, including information as to any easements and rights-of-way and certifying that the estate or interest is legal and valid.
3. Tabulation of all bids received and the engineer’s estimate.
4. Copy of the bid proposal chosen.
5. Evidence of advertising (submit a copy of newspaper advertisement for the project).
6. All MBE/WBE documentation, which includes Forms 1 through 6 and documentation that the local Small Business Administration and Minority Business Development Agency centers were contacted at least twelve working days prior to bid opening.
7. A dedicated source of revenue (ordinance or resolution).
8. Disbursements of SRF funds may take up to 90 days. Some construction costs may be ineligible for SRF funding. Provide a cash flow projection showing the source and expected time of receipt of funds needed to meet project cash requirements.

Detailed directions for completing the ATA form are provided on the form. If you have any questions regarding the ATA process, please contact Ken Gonzales of CWP at (916) 341-5683 or Gonzalesk@cwp.swrcb.ca.gov.

Section 2: PRIME CONTRACTOR & RECIPIENT RESPONSIBILITIES

PARTICIPATION RESPONSIBILITIES FOR PRIMES AND THEIR SUBCONTRACTORS

All recipients of federal funds from USEPA, as well as their prime contractors and subcontractors, must make every effort to solicit bids from eligible MBE/WBEs. This information must be documented and reported to CWP as described in this document.

The MBE/WBE responsibilities of the prime contractor are:

1. Conduct a “good faith” effort to ensure maximum MBE/WBE participation in the project.
2. Complete or obtain from MBE/WBE subcontractors, all of the completed forms required in

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these guidelines and submit them to the recipient.

3. Report actual MBE/WBE participation on a quarterly basis to the recipient.

The MBE/WBE responsibilities of the recipient are:

1. Ensure that the prime contractor meets the responsibilities identified in these guidelines.
2. Submit all documentation identified in these guidelines to CWP and maintain all records in the project files for later access or auditing.
3. Provide quarterly reports on MBE/WBE procurements to CWP.

Section 3: “Good Faith” Effort Process

Any public or private entity receiving federal funds must demonstrate that efforts were made to attract MBE/WBEs on any SRF contracts. The process to attract MBE/WBEs is referred to as the “good faith” effort. This effort requires the recipient, prime contractor and any subcontractors to take the steps listed below to assure that MBE/WBEs are used whenever possible as sources of supplies, construction, equipment or services. Failure to take the steps outlined below and submit Form 4, Prime Contractor/Recipient Selected MBE/WBEs, prior to bid opening, shall cause the bid to be rejected as non-responsive. Use Forms 1 through 6 to document the process. If it is not practical or possible to comply with one or more of the five steps, prepare an explanation and submit it with the ATA package.

STEP 1: Divide the total requirements, when economically feasible, into small tasks or quantities to permit maximum participation. Evidence submitted must illustrate that the work was divided into small proprietary portions (e.g. paving, electrical, landscaping, revegetation).

STEP 2: Establish delivery schedules, when work requirements permit, that encourage maximum MBE/WBE participation.

STEP 3: Use the services of the U.S. Small Business Administration (SBA) and the Minority Business Development Agency (MBDA) of the U. S. Department of Commerce (DOC) in soliciting qualified MBE/WBEs. Utilization of these resources is required at no cost. These agencies offer several services, including Internet access to databases of MBE/WBEs.

For additional assistance, the recipient or contractor could telephone the local offices of both agencies in their area (SBA Minority Enterprise Development Offices and DOC MBDA Regional Centers). The Internet web sites also include names, addresses, and phone or fax numbers of local SBA and MBDA centers. There are contact phone numbers listed in Step 5 that will assist you in reaching the two offices if the Internet is unavailable.

Do not write to these sources.

The prime contractor must provide documentation that the local SBA/MBDA offices or web sites were notified of the contracting opportunity (allow at least **five working days** for a response). Documentation must not only include the efforts to contact the information sources and list the contract opportunity, but also the solicitation and response to the bid request.

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STEP 4: Include qualified MBE/WBEs on solicitation lists and record the information. Solicitation should be as broad as possible. The following web sites include a list of available sources for expanding the search for eligible MBE/WBEs: <http://www.sba.gov> and <http://www.mbd.gov>. If MBE/WBE sources are *not* located, explain why and describe the efforts made. See Step 5 for more detailed information.

For all contracts, the prime contractor must send invitations to at least three (or all, if less than three) MBE/WBE vendors for each item of work referred by sources contacted. The invitations must adequately specify the items for which bids are requested. The record of “good faith” efforts must indicate a real desire for a positive response, such as a certified mail receipt or a documented telephone conversation. **(A regular letter or an unanswered telephone call is *not* an adequate “good faith” effort).** A list of all sub-bidders, including the bidders **not** selected, and bid amount for each item of work must be submitted. A sample list is shown in Form 5, Sample Summary of Bids Received from Subcontractors. If a low bid was not accepted, an explanation must be provided.

STEP 5: Solicit available MBEs and WBEs whenever they are potential sources. The prime contractor must provide invitations to MBE/WBE sub-bidders at least **seven working days** prior to the bid opening date.

Federal Agencies (must be contacted):

Name and Address	Telephone and Web Site
U.S. Small Business Administration	(415) 744-6820 Extension 0
455 Market Street, Suite 600	PRO-Net Database: http://www.sba.gov/ ¹
San Francisco, CA 94105	Bid Notification: http://web.sba.gov/subnet/
RE: Minority Enterprise Development Offices	
U.S. Department of Commerce	(415) 744-3001
Minority Business Development Agency	Phoenix/ Opportunity Database:
211 Main Street, Room 1280	http://www.mbd.gov
San Francisco, CA 94105	RE: Business Development Centers

State Agencies (optional contacts):

Name and Address	Telephone and Web Site
California Department of Transportation	Mailing Address: PO Box 942874
(CALTRANS) Business Enterprise Program ²	Sacramento, CA 94274-0015
1820 Alhambra Blvd.	(916) 227-9599
Sacramento, CA 95816	www.dot.ca.gov/hq/bep
CA Public Utilities Commission (CPUC) ³	
505 Van Ness Avenue	http://www.cpuc.ca.gov/static/aboutcpuc/divisions/executive+office/wmbe
San Francisco, CA 94102-3298	

¹ PRO-Net is the SBA’s electronic search engine, containing business profiles for nearly 200,000 businesses. The SBA requests Internet contact only. A list of potential firms downloaded from PRO-Net will verify that the bidder made the required contact with the SBA.

² Based on the federal Disadvantaged Business Enterprises (DBE) program, CALTRANS maintains a database and provides directories of minority and woman-owned firms.

³ CPUC maintains a database of MBE/WBE-owned business enterprises and serves to inform the public.

Section 4: Non-Governmental Local Contacts

MINORITY BUSINESS ENTERPRISE/WOMAN BUSINESS ENTERPRISE (MBE/WBE) RESOURCES

The following organizations provide services to identify potential MBE/WBEs. Some of the organizations charge a fee or require membership fees to provide their services. Services provided may include the entire good faith effort process for recipients that need comprehensive assistance.

Humboldt Builder's Exchange Inc.

2355 Myrtle Ave.
Eureka, CA 95501
Phone #: (707) 442-3708
FAX #: (707) 442-6051
www.humvx.com

California Daily Bid Advisor/Challenge News

1276 Lincoln Ave. #203
San Jose, CA 95125
Phone #: (408) 998-0241
or (800) 298-0240
FAX #: (408) 998-2534

California Procurement Training and Assistance Center at West Valley

1 West Campbell Ave., Ste J70
Campbell CA 95008
Phone #: (408) 871-4390
FAX #: (408) 378-2034

Contractors Assistance Center

PO Box 7675
Redlands, CA 92375
Phone #: (800) 742-4124
FAX #: (800) 742-4125

Eldridge Bid Reporter, M/W/DVBE Assistance

PO Box 699
West Sacramento, CA 95691
Phone #: (916) 444-7618
FAX #: (916) 444-7731
www.ebrbids.com

Regis Communications Construction Bid Source Interactive (CBSI)

PO Box 568
Burson, CA 95225-0568
Phone #: (209) 772-3670
FAX #: (800) 560-7266
www.Regis-usa.com
1-800-962-4162

Riverside Community College District

Procurement Assistance Center
2038 Iowa Ave., Ste. 100
Riverside, CA 92507
Phone #: (909) 788-2559
FAX #: (909) 788-2515
www.resources4u.com/pac

Small Business Exchange

703 Market St., Ste. 1000
San Francisco, CA 94103
Phone #: (415) 778-6250
FAX #: (415) 778-6255
www.sbeinc.com

Section 5: Reporting Requirements

All requests for services, supplies, equipment or construction solicited by the SWRCB, other governmental agencies, non-profit agencies, or private businesses are subject to the MBE/WBE requirements. **These requirements apply to the prime contractor and all subcontractors.** The only exceptions to this requirement are contracts with governmental or non-profit agencies.

For the duration of the contract, all primary and subcontractors will be required to report progress made in fulfilling the “good faith” effort in their quarterly reports. Failure to provide this information as stipulated in the contract language will be cause for contract termination. CWP staff will provide recipients with the forms and instructions to report their “good faith” efforts after the ATA.

Once a bidder is selected, the prime contractor should compile the information required by the “good faith” effort process. **All information supporting the “good faith” effort must be submitted within ten working days after the bid opening.** Recipient shall review the successful bidder’s records closely to be sure that, prior to bid opening, all required “good faith” efforts were made. Failure of either the bidder or prime contractor/subcontractor to follow the process and provide the necessary information to CWP could jeopardize the bidding process. The following situations and circumstances require actions as indicated:

1. If the apparent successful low bidder was rejected a complete explanation must be provided.
2. Each MBE/WBE firm utilized must complete and submit the Form 3, Contractor Self-Certification with the bid.
3. If additional subcontracts become necessary after the award of the prime contract, provide Form 3 to CWP within ten working days following the award of each new subcontract.
4. Any deviation from the information provided at the time of the bid shall not result in a reduction of MBE/WBE participation without prior approval of CWP.
5. Failure of the apparent low bidder to perform the five “good faith” effort steps *prior* to bid opening and submittal of Form 4 with the bid, will result in its bid being declared non-responsive. The contract may then be awarded to the next low, responsive, responsible bidder that meets the requirements or the recipient may re-advertise the project.
6. The apparent successful low bidder must submit documentation to the recipient within ten working days following bid opening showing that, prior to the bid opening, all required “good faith” efforts were made.

Section 6: Definitions

A bona fide minority or women-owned business enterprise (MBE/WBE) is a:

- (1) MBE or WBE that has submitted a “Minority or Women-Owned Business Enterprise Contractor Self-Certification” Form 3, and
- (2) A firm that has been accepted as a bona fide MBE or WBE by the recipient.

In addition, a bona fide MBE/WBE must be an independent business concern that is at least 51% owned, controlled, and operated by minority group members (see definition of minority group member) or women. Ownership and control can be measured by:

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- Contract work performance responsibility.
- Management responsibility.
- At least 51% share of profits and risk.
- Other data (such as voting rights) that may clarify ownership or control.

Control means exercising the power to make policy decisions.

Operate means being actively involved in the day-to-day management of the business.

Determination of whether a business is at least 51% owned by a woman or women shall be made without regard to community property laws. An otherwise qualified WBE which is 51% owned by a married woman in a community property state will not be disqualified because her husband has a 50% interest in her share. Similarly, a business that is 51% owned by a married man and 49% by an unmarried woman does not become a qualified WBE by virtue of the wife's 50% interest in the husband's share of the business.

A joint venture is a business enterprise formed by a combination of firms under a joint venture agreement. To qualify as a bona fide MBE/WBE, the minority-owned or women-owned and controlled firms in the joint venture must:

- Satisfy all requirements for bona fide MBE/WBE participation in their own rights.
- Share a clearly defined percentage of the ownership, management responsibilities, risks, and profits of the joint venture. Only this percentage of ownership will be credited towards the MBE/WBE goal.

A minority group member is a citizen of the United States and one of the following:

- **Native American** consists of American Indian, Eskimo, Aleut, and native Hawaiian. To qualify, the person must meet one of the following criteria:
 1. Native Americans are at least one-fourth Indian descent (as evidenced by registration with the Bureau of Indian Affairs).
 2. Characteristic Indian appearance and features.
 3. Characteristic Indian name.
 4. Recognition in the community as an Indian.
 5. Membership in a tribe, band, or group of American Indians (recognized by the Federal Government), as evidenced by a tribal enrollment number or similar indication.
- **African-American** consists of individuals having origins in any of the black racial groups of Africa.
- **Asian-Pacific American** consists of individuals having origins in any of the original peoples of the Far East, Southeast Asia, and the Indian subcontinent. This area includes, for example, China, Japan, Korea, the Philippines, Vietnam, Samoa, Guam, U.S. Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, and Taiwan. The Indian subcontinent takes in the countries of India, Pakistan, Bangladesh, Sri Lanka, Nepal, Sikkim, and Bhutan.
- **Hispanic American** consists of individuals with origins from Puerto Rico, Mexico, Cuba, or South or Central America. Only those persons from Central and South American countries who are of Spanish origin, descent, or culture should be included in this category. Persons from Brazil, Guyana, Surinam or Trinidad, for example, would be classified according to

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their race and would not necessarily be included in the Hispanic category. In addition, this category does not include persons from Portugal, who should be classified according to race.

In cases where a firm is owned and controlled by a minority woman or women, the percentage may be credited towards MBE participation or as WBE participation, or allocated, but may not be credited fully to both.

Recipient – An agency (County, City, Special District, etc.) applying for a SRF loan to construct a project.

Contractor – Refers to any recipient of funds who will participate in some phase of construction. The contractor receiving funds directly from the recipient for construction is the prime contractor. Contractors working for the prime contractor are subcontractors.

Project Manager – Is the CWP staff responsible for managing the project. The Project/Contract Manager is responsible for review during the planning, design and contract development phases.

Section 7: MBE/WBE Forms

The following forms are provided to report project MBE/WBE information. They are available in electronic form from Ken Gonzales at (916) 341-5683 or Gonzalesk@cwpswrcb.ca.gov. If you have any questions about completing these forms or when to turn them in, please contact Mr. Gonzales.

All Forms, where applicable, must have original signature and date.

The following table provides information on who completes each form and where the forms are to be sent:

Form#	Description	Completed By	Submit To	Forward To
1	Solicitation	Prime	Recipient	CWP with ATA
2	Bids Received List	Prime	Recipient	CWP with ATA
3 (Att A)	Self-Certification	MBE/WBE Sub	Prime	Recipient, CWP w/ATA
4 (Att B)	Selected Subcontractors	Prime (with bid)	Recipient	CWP with ATA
5	Sample Summary	Prime	Recipient	CWP with ATA
6	Positive Effort Certification	Recipient	CWP w/ATA	
7	ATA Request	Recipient	CWP	

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FORM 1

MINORITY AND WOMEN OWNED BUSINESS ENTERPRISE (MBE/WBE)
“GOOD FAITH” EFFORT LIST OF CONTRACTORS SOLICITED

Contractor Name	Contractor Address	Category (MBE or WBE)	How Located	Date of Contact	Contact Method	Task Description	Delivery Schedule	Response (Yes/No)

Form for information required to be submitted with the ATA package.

FORM 2

MINORITY AND WOMEN OWNED BUSINESS ENTERPRISE (MBE/WBE)
 “GOOD FAITH” EFFORT BIDS RECEIVED LIST

[illegible]

Form for information required to be submitted with the ATA package.

FORM 3 (Attachment A)
MINORITY- OR WOMEN-OWNED BUSINESS ENTERPRISE
(MBE/WBE)

CONTRACTOR SELF CERTIFICATION

Firm Name: _____ Phone: _____

Address: _____

Principal Service or Product: _____

PLEASE INDICATE PERCENTAGE OF OWNERSHIP

☐ MBE _____% Ownership

☐ WBE _____% Ownership

☐ Prime Contractor

☐ Supplier of Material/Service

☐ Subcontractor

☐ Broker

☐ Sole Ownership

☐ Corporation

☐ Partnership

☐ Joint Venture

I hereby certify that this firm is a Minority or Women Business Enterprise as defined in Public Contract Code, Section 10115.1. In making this certification, I am aware of Sections 12650 et seq. of the Government Code, providing for the imposition of treble damages for making false claims against the State and Section 10115.10 of the Public Contract Code, making it a crime to intentionally make an untrue statement in this certificate.

Certified by: _____ Title: _____

MBE/WBE Sub _____ (ORIGINAL SIGNATURE AND DATE REQUIRED)

Name: _____ Date: _____

Additional proof may be required upon written challenge of this certification by any person or agency. Falsification of this certification by a firm selected to perform federally funded work may result in a determination that the firm is non-responsive and ineligible for future contracts.

This form must be submitted within 10 working days after the bid opening date.

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FORM 4 (Attachment B)

PRIME CONTRACTOR/RECIPIENT

SELECTED MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISES (MBE/WBEs)

CONTRACT RECIPIENTS NAME		CONTRACT NO. OR SPECIFICATION NO.	
PROJECT DESCRIPTION		PROJECT LOCATION	
PRIME CONTRACTOR INFORMATION			
NAME AND ADDRESS (Include ZIP Code, Federal Employer Tax ID #)		<input type="checkbox"/> MBE <input type="checkbox"/> WBE	
PHONE		AMOUNT OF CONTRACT\$	
MBE/WBE INFORMATION			
<input type="checkbox"/> NONE*			
<input type="checkbox"/> MBE <input type="checkbox"/> WBE		NAME AND ADDRESS (Include ZIP Code,)	
<input type="checkbox"/> SUBCONTRACTOR <input type="checkbox"/> JOINT VENTURE	<input type="checkbox"/> SUPPLIER/SERVICE <input type="checkbox"/> BROKER		
AMOUNT OF CONTRACT \$			
WORK TO BE PERFORMED		PHONE	
<input type="checkbox"/> MBE <input type="checkbox"/> WBE		NAME AND ADDRESS (Include ZIP Code)	
<input type="checkbox"/> SUBCONTRACTOR <input type="checkbox"/> JOINT VENTURE	<input type="checkbox"/> SUPPLIER/SERVICE <input type="checkbox"/> BROKER		
AMOUNT OF CONTRACT \$			
WORK TO BE PERFORMED		PHONE	
<input type="checkbox"/> MBE <input type="checkbox"/> WBE		NAME AND ADDRESS (Include ZIP Code,)	
<input type="checkbox"/> SUBCONTRACTOR <input type="checkbox"/> JOINT VENTURE	<input type="checkbox"/> SUPPLIER/SERVICE <input type="checkbox"/> BROKER		
AMOUNT OF CONTRACT \$			
WORK TO BE PERFORMED		PHONE	
<input type="checkbox"/> MBE <input type="checkbox"/> WBE		NAME AND ADDRESS (Include ZIP Code)	
<input type="checkbox"/> SUBCONTRACTOR <input type="checkbox"/> JOINT VENTURE	<input type="checkbox"/> SUPPLIER/SERVICE <input type="checkbox"/> BROKER		
AMOUNT OF CONTRACT \$			
WORK TO BE PERFORMED		PHONE	
TOTAL MBE AMOUNT: \$_____ TOTAL WBE AMOUNT: \$_____			
SIGNATURE OF PERSON COMPLETING FORM: _____			
TITLE: _____ PHONE: _____ DATE: _____			

*Negative reports are required.

ORIGINAL SIGNATURE AND DATE REQUIRED

Failure to complete and submit this form with the bid will cause the bid to be rejected as non-responsive.

FORM 5

SAMPLE SUMMARY OF BIDS RECEIVED FROM SUBCONTRACTORS (MBE/WBE & NON-MBE/WBE)						
THIS SUMMARY IS PREPARED BY THE PRIME CONTRACTOR						
Type of Job	Company Name	Selected	Bid Amount	MBE	WBE	NON
Asphalt	Gillerti & Sons	X	\$123,750	X		
	Americash		\$131,850			X
	Caltex		\$176,775			X
Bore & Jack	State Boring	X	\$208,870			X
	Jack Bore		\$208,870			X
	Alotta Boring		\$227,472	X		
Electrical	Square Fasteners, Inc		\$20,190	X		
	REM Sleep Co	X*	\$24,189		X	
	Tram Electic		\$30,120			X
Masonry	Welch, Inc.	X	\$20,383		X	
	Cheatum		\$36,000	X		
Striping	Orange Peel	X	\$8,597			X
	Crispy Boys Co.		\$9,370			X
	Sweat Co.		\$11,785	X		
<p>*REM Sleep Co. selected over Square Fasteners, Inc. due to incomplete bid by Square Fasteners.</p> <p>List type of jobs alphabetically, from low to high in each category and selected low bidder. All other types of bidders such as DBE, SWBE SMBE, and Non MBE/WBE should be shown in the "Non" column.</p>						

Form for information required to be submitted with the ATA package.

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FORM 6

**MINORITY BUSINESS ENTERPRISE/WOMEN BUSINESS ENTERPRISE (MBE/WBE)
POSITIVE EFFORT CERTIFICATION BY APPLICANT/RECIPIENT**

1. The apparent successful low bidder on Clean Water Program funded project number C-06-_____ is _____
(name of bidder)
2. Before the State Water Resources Control Board - Division of Clean Water Programs can consider requests for an Approval To Award (ATA) to any bidder the applicant/recipient must certify to the following:

MINORITY BUSINESS ENTERPRISE (MBE)

The bidder has obtained _____% of MBE participation for this contract.

WOMEN BUSINESS ENTERPRISE (WBE)

The bidder has obtained _____% of WBE participation for this contract.

Also submitted are Forms 3 and 4 which contain a complete list of those MBE and WBE firms subcontracted with or with whom other types of agreements were made. The list includes the names of the firm, address, phone number and dollar amount involved.

The following affirmative steps as required by 40 CFR 35.3150 (d) have been taken:

- (1) The contractor divided total requirements when economically feasible, into small tasks or quantities to permit maximum participation of minority and women's businesses.
- (2) The contractor established delivery schedules, where the requirements of the work permitted, which encouraged participation by minority and women's business.
- (3) The contractor included qualified minority and women's businesses on solicitation lists.
- (4) The contractor assures that minority and women's businesses were solicited, whenever they were potential sources.
- (5) The contractor used the services and assistance of the Small Business Administration and the Office of Minority Business Development Agency of the U.S. Department of Commerce.

It must be understood that the applicant/recipient in its role as a public trustee assumes primary responsibility to achieve an acceptable level of MBE/WBE utilization. This primary responsibility is a basic condition of the award of any State Revolving Fund financial assistance. Where an application/recipient fails to meet its obligations under these requirements the applicant/recipient may be declared nonresponsible and may have funding either annulled, suspended or terminated.

In accepting these responsibilities, I hereby certify to the above.

Name of Applicant/Recipient

Signature of Authorized Representative

Date

Name and Title of Authorized Representative

This form must be submitted with the ATA package.

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State Water Resources Control Board
Division of Clean Water Programs
State Revolving Fund Approval-to-Award (ATA) Request

Note: The construction contracts SHALL NOT be awarded until the ATA and attachments have been approved by the Division of Clean Water Programs (Division). Therefore, the applicant should submit this form and the required attachments as soon as possible after the bid opening. Prompt submission will give the Division sufficient time to review and approve the ATA Request. The ATA Request should include information to fulfill all State and Federal requirements.

1. Agency Name and Address	State Assigned Project No. C-06-	
2. Date by which contracts must be awarded (as indicated in contract documents):		
3. Have any protests regarding award of the contracts been received? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give date protests were resolved: _____ Attach copies of the protests and resolutions.		
4. Project Cost Summary	Total Project	Eligible Project
A. Construction Contract (specify number and contractor's name):	\$	\$
1.		
2.	\$	\$
CONSTRUCTION CONTRACT SUBTOTAL	\$	\$
B. Allowances (See SRF Policy):		\$
1. Planning		\$
2. Design		\$
3. Construction		\$
4. Administration		\$
5. Prime Engineering		\$
ALLOWANCES SUBTOTAL		\$
C. Other - Identify	\$	\$
D. Total Project Costs (Summation of A through C)	\$	\$
5. Funds available for construction of the "Total Project":		Amount
A. Cash on hand		\$
B. General obligation or revenue bonds		\$
C. Short term loans or notes		\$
D. Other Funds – Identify		\$
E. SUBTOTAL Local funds available (A + B + C + D)		\$
F. SRF Loan Amount – "Eligible Project" Total		\$
G. Total Amount Required – "Total Project" cost		\$
H. Applicant's Amount Required – G minus (E + F) – If this amount is less than zero, provide Att. G.		\$
6. Also, attach the information requested on page 2.		
THE UNDERSIGNED REPRESENTATIVE OF THE APPLICANT CERTIFIES THAT THE INFORMATION CONTAINED ABOVE AND IN ATTACHED STATEMENTS AND MATERIALS IN SUPPORT THEREOF, IS TRUE AND CORRECT.		
Signature of Authorized Representative		Date
Name, Title and Phone Number of Representative (type or print)		

ATA Request Instructions

6. The recipient must attach the following information to the Approval-to-Award Request:

- A. A legal description of the site on which the project is to be constructed and an opinion signed by competent title counsel describing the interest the applicant has in the site, including information as to any easements and rights-of-way and certifying that the estate or interest is legal and valid. The opinion should also include information as to whether or not:
 - 1. The applicant (or the present owner if fee simple title has not been or is not to be acquired) has good and valid title to the entire site (excluding easements and rights-of-way) free and clear of any pre-existing mortgages, deeds of trust, liens or other encumbrances, which would affect the value or usefulness of the site for the purpose intended;
 - 2. Any deeds or documents required to be recorded in order to protect the title of the owner and the interest of the applicant have been duly recorded or filed for record whenever necessary; and
 - 3. The applicant has complied with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601).
- B. Tabulation of all bids received and the engineer's estimate.
- C. Copy of the bid proposal chosen.
- D. Evidence of advertising (submit a copy of newspaper advertisement for the project).
- E. All MBE/WBE documentation, which includes forms 1 through 6 and documentation that the local Small Business Administration and Minority Business Development Agency centers were contacted at least twelve working days prior to bid opening.
- F. A dedicated source of revenue (ordinance or resolution).
- G. Disbursements of SRF funds may take up to 90 days. Some construction costs may be ineligible for SRF funding. Provide a cash flow projection showing the source and expected time of receipt of funds needed to meet project cash requirements. Attachment G is only needed if line 5H is less than zero.